

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tahreem Khan	Team: Squad #11	CCRB Case #: 201908581	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 09/28/2019 1:00 PM, Saturday, 09/28/2019 1:30 PM, Wednesday, 12/18/2019	Location of Incident: Outside § 87(2)(b) and at the 7th Precinct station house	Precinct: 07	18 Mo. SOL 3/28/2021	EO SOL 11/12/2021	
Date/Time CV Reported Sat, 09/28/2019 7:09 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 09/28/2019 7:09 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Adam Quiles	13313	946657	007 PCT
2. POM Lateef Stinson	15203	964300	007 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Mohammad Aryakia	00728	933621	007 PCT
2. POF Yuliya Porlier	30902	939783	007 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Lateef Stinson	Abuse: At § 87(2)(b) in Manhattan, Police Officer Lateef Stinson threatened to issue summons to § 87(2)(b)	
B.POM Lateef Stinson	Abuse: At § 87(2)(b) in Manhattan, Police Officer Lateef Stinson threatened to arrest § 87(2)(b)	
C.POM Lateef Stinson	Discourtesy: At § 87(2)(b) in Manhattan, Police Officer Lateef Stinson spoke discourteously to § 87(2)(b)	
D.POM Lateef Stinson	Off. Language: At § 87(2)(b) in Manhattan, Police Officer Lateef Stinson made remarks based on § 87(2)(b) gender identity.	
E.POM Adam Quiles	Off. Language: At the 7th Precinct station house, Police Officer Adam Quiles made remarks based on § 87(2)(b) gender identity.	
F.POM Adam Quiles	Off. Language: At the 7th Precinct station house, Police Officer Adam Quiles made offensive remarks to § 87(2)(b)	

Case Summary

On September 28, 2019, § 87(2)(b) filed this complaint online with the CCRB.

On September 28, 2019, § 87(2)(b) called 911 and requested police presence after being assaulted by their mother's unidentified boyfriend. At approximately 1 p.m. outside of § 87(2)(b) in Manhattan, Police Officer Yuliya Porlier and Police Officer Lateef Stinson, of the 7th Precinct arrived. § 87(2)(b) was unable to file a harassment complaint against their mother's boyfriend. § 87(2)(g)

§ 87(2)(b) PO Stinson threatened to issue § 87(2)(b) a summons and threatened to arrest § 87(2)(b) (**Allegations A and B: Abuse of Authority, § 87(2)(g)**). When § 87(2)(b) began to argue with PO Stinson about the threat of arrest and threat of summons, PO Stinson then spoke discourteously and made offensive remarks to § 87(2)(b). PO Stinson allegedly stated, "'Aww baby,' 'Hey sweet cheeks,' 'You're crying?' 'Are you upset?' 'I'm not going to help you sweetheart,' 'Kiss me,' and 'Kiss my ass,'" all statements which § 87(2)(b) perceived to have the intent to demean and victimize a female-identified person, as if they were a "little girl" and meant to feel ignored (**Allegation C: Discourtesy, § 87(2)(g)**; **Allegation D: Offensive Language, § 87(2)(g)**).

As § 87(2)(b) was unable to file a harassment report with PO Porlier and PO Stinson, they then went to the 7th Precinct stationhouse on the same day at approximately 1:30 p.m., where they allegedly spoke with Police Officer Adam Quiles. As § 87(2)(b) attempted to file a harassment report against their mother's boyfriend, PO Quiles made offensive remarks regarding § 87(2)(b) by referring to them as "he," a "freak," a "bitch" and "that thing over there" (**Allegations E and F: Offensive Language, § 87(2)(g)**).

There is no known video footage of this incident. The first body-worn camera (BWC) video request returned negative results, as did the second request which included additional officers.

No arrests or summons were issued in connection with this incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: On September 28, 2019, at § 87(2)(b) in Manhattan, Police Officer Lateef Stinson threatened to issue summons to § 87(2)(b)

Allegation (B) Abuse of Authority: On September 28, 2019, at § 87(2)(b) in Manhattan, Police Officer Lateef Stinson threatened to arrest § 87(2)(b)

After being punched in the stomach by their mother's boyfriend, § 87(2)(b) dialed 911 and told the operator that they were distressed because they were assaulted, did not feel safe, and requested police presence. About 30 minutes later, PO Porlier and PO Stinson arrived. § 87(2)(b) asked PO Porlier for a harassment report. After talking with PO Porlier for some time, PO Porlier gave § 87(2)(b) a harassment report. § 87(2)(b) mother's boyfriend, from across the street, was sticking up his middle finger at § 87(2)(b) and yelling "fuck you." § 87(2)(b) then turned and yelled at the individual, "don't you ever dare touch [them] again and [they will] make sure [he] is 'packing' before Wednesday."

PO Porlier and PO Stinson exited their vehicle and approached § 87(2)(b) (Board Review 1). PO Porlier took the harassment report from § 87(2)(b) and stated that they would not be filing a harassment report because § 87(2)(b) harassed the individual across the street. PO Porlier returned inside of vehicle while § 87(2)(b) remained arguing with PO Stinson stating that they had a right to file a harassment report, and if the officers did not allow § 87(2)(b) to file a harassment report, then they would go to their precinct. PO Stinson then asked § 87(2)(b) for their identification. When § 87(2)(b) asked why, PO Stinson stated that if § 87(2)(b) did not give him their ID, then he would "put [them] in summons" and put them under arrest because he did not like § 87(2)(b)'s attitude. PO Stinson did not give § 87(2)(b) any other reason for giving a summons or arresting them. § 87(2)(b) did not provide PO Stinson with their photo ID

(Board Review 1).

PO Stinson (Board Review 2) did not recall any details regarding the incident. He was unable to reference his memo book to refresh his recollection as he changed commands and did not know where his memo book was. A copy of PO Stinson's memo book that was provided by IAB did confirm that he and PO Porlier responded to § 87(2)(b) in Manhattan (Board Review 13). During his interview, PO Stinson was provided with details of the incident, a photograph of § 87(2)(b) Domestic Incident Report (DIR) #§ 87(2)(b) (Board Review 6), and the Event summary and information associated with Event #§ 87(2)(b) (Board Review 7), none of which refreshed his recollection of the incident.

PO Porlier recalled that § 87(2)(b) was acting irrational, aggressive, and like an "EDP." The boyfriend of § 87(2)(b) mother was on the opposite side of the street, smoking, during this interaction. § 87(2)(b) then made a comment towards their mother's boyfriend, stating that "Jewish people are not supposed to smoke." Other than making this statement to their mother's boyfriend, § 87(2)(b) hand movements and the way they spoke was unusual to PO Porlier. § 87(2)(b) was stepping back and forth while putting their hands up to the either side of their body, as if they were not satisfied with what was happening. In addition to these movements, § 87(2)(b) spoke in a loud voice and did not answer the questions PO Porlier and PO Stinson were asking them. When the officers had asked § 87(2)(b) for their name, § 87(2)(b) stated, "I'm not going to tell you." While PO Porlier did not recall what questions she and PO Stinson asked § 87(2)(b) she stated that generally, she would ask questions asking about the complainant's name and for details regarding what happened. PO Porlier and PO Stinson had tried to obtain § 87(2)(b) information, but were unable to do so. PO Porlier estimated being at the incident location for an hour or less. The incident was concluded with a DIR being prepared.

PO Porlier did not believe that § 87(2)(b) and PO Stinson were alone at any point during the incident, and PO Porlier was present with her partner during the entire incident. At the time, § 87(2)(b) was not doing anything that they could be issued a summons or arrested for. PO Porlier did not believe that PO Stinson ever threatened to issue § 87(2)(b) a summons or threatened to arrest § 87(2)(b).

There is no video footage or documents that captures or mentions the allegations.

§ 87(2)(g)

Allegation (C) Discourtesy: On September 28, 2019, at § 87(2)(b) in Manhattan, Police Officer Lateef Stinson spoke discourteously to § 87(2)(b)

Allegation (D) Offensive Language: On September 28, 2019, at § 87(2)(b) in Manhattan, Police Officer Lateef Stinson made remarks based on § 87(2)(b) gender identity.

§ 87(2)(b) (Board Review 1) stated that PO Porlier and PO Stinson were supposed to protect them, which the officers did not do, so § 87(2)(b) was going to their local stationhouse and talk with PO Porlier and PO Stinson's supervisor instead. PO Stinson stated sexist and trans-phobic comments: "Aww baby," "Hey sweetcheeks," "You're crying?," "Are you upset?," "I'm not going to help you sweetheart," "Kiss me," and "Kiss my ass." § 87(2)(b) felt that these statements were meant to demean and victimize a female-identified person, as if they were a "little girl" and meant to feel ignored. PO Porlier and PO Stinson interacted with § 87(2)(b) for about 30 minutes in total before § 87(2)(b) left to go to the 7th Precinct police station.

PO Stinson (Board Review 2) stated that he did not make the following statements to § 87(2)(b) "Aww baby," "Hey sweetcheeks," "You're crying?" "Are you upset?" "I'm not going to help you sweetheart," "Kiss me," and "Kiss my ass."

PO Porlier (Board Review 3) did not believe that PO Stinson made any of the following

statements to § 87(2)(b) “Aww baby.” “Hey sweet cheeks,” “You’re crying?” “Are you upset?” “I’m not going to help you sweetheart,” “Kiss me,” and “Kiss my ass.”

§ 87(2)(g)

Allegation (E) Offensive Language: On September 28, 2019, at the 7th Precinct station house, Police Officer Adam Quiles made remarks based on § 87(2)(b) gender identity.

Allegation (F) Offensive Language: On September 28, 2019, at the 7th Precinct station house, Police Officer Adam Quiles made offensive remarks to § 87(2)(b)

§ 87(2)(b) (Board Review 1) went to the 7th Precinct stationhouse to file a harassment report. § 87(2)(b) stated that they spoke to “PO Qurles” whose shield number was 13313. § 87(2)(b) provided this officer’s description as a possibly Hispanic male, age in mid-30’s, 6’1” to 6’2” tall, muscular build, over 200lbs., possibly had tattoos on arms, had tan skin, and had short black hair. § 87(2)(b) did not specify any additional information regarding PO Quiles’ tattoos. PO Quiles sat at the check-in desk and asked § 87(2)(b) what happened. § 87(2)(b) explained to PO Quiles that they had been assaulted and that PO Porlier and PO Stinson were supposed to take § 87(2)(b) harassment report but did not do so. PO Quiles spoke with two unidentified male officers, and continuously made fun of § 87(2)(b) and misgendered them. PO Quiles told his colleagues that § 87(2)(b) ran from the officers when they were trying to help them. PO Quiles also misgendered while speaking to his colleagues about § 87(2)(b) stating that “he” was coming up with stories and that “he” was making claims. While speaking to his colleagues, PO Quiles also referred to § 87(2)(b) as a “freak,” as “that thing over there,” as a “bitch,” and used other demeaning terms that § 87(2)(b) did not recall. § 87(2)(b) was within hearing distance in the lobby (20 to 30 feet away). At some point, § 87(2)(b) stated to PO Quiles that they can hear him. PO Quiles allegedly told § 87(2)(b) to mind their business and that he was not talking to § 87(2)(b). § 87(2)(b) stated to PO Quiles that they do not go by “he” or “sir.”

PO Quiles (Board Review 4) stated that from September 8, 2019 to October 3, 2019, he was out sick. As such, PO Quiles stated that was not working on the day of the incident. Since PO Quiles was out sick, he stated that it is possible that he returned at some point on modified duty or limited duty within the stationhouse, but PO Quiles could not recall if he had returned to work on modified duty or limited duty during the time that he was out sick. PO Quiles did not recall interacting with § 87(2)(b). He was presented with a photo of § 87(2)(b) as well as provided a brief summary of the incident. Neither of the details refreshed PO Quiles’ recollection of the incident. PO Quiles did not recall working on the date of the incident.

After receiving the Roll Call for September 28, 2019 which listed PO Quiles as the Telephone Switchboard Operator, he was rescheduled for a second interview. On October 22, 2020, PO Quiles was re-interviewed regarding this case. In PO Quiles’ previous interview (Board Review 4), he stated that from September 8, 2019 to October 3, 2019, he did not work as he was out sick. During his second interview (Board Review 15), he clarified that he misremembered the information in the previous interview. He had checked with Roll Call when he had received the notification for his second interview. Roll Call relayed to PO Quiles that he was working at the stationhouse and noted his tour for that day. Given that PO Quiles stated that he was working as the Telephone Switchboard Operator, he was not presented with Roll Call for the incident date or the Telephone Switchboard Log.

PO Quiles maintained that he did not recall anything from the incident date or incident time, nor did he recall interacting with an individual named § 87(2)(b).

Finally, PO Quiles stated that he has a tattoo with words and a picture in dark ink on his left forearm. The tattoo goes from his wrist to his elbow.

On the incident date at approximately 1:30 p.m., Sgt. Mohammad Aryakia, who § 87(2)(b) believed to have witnessed the interaction between them and PO Quiles, stated that he was on patrol and did not have any independent recollection of the incident (Board Review 5). While Sgt. Aryakia did return to the 7th Precinct stationhouse at some point, he did not know what time he must have resumed patrol. Sgt. Aryakia was presented with a few details of the case as well as a picture of § 87(2)(b). Neither attempt refreshed Sgt. Aryakia's recollection.

The Interrupted Patrol Log for September 28, 2019 (Board Review 14) does not show when Sgt. Aryakia stopped and resumed patrol.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has no prior CCRB complaints (Board Review 11).
- PO Stinson has been a member of service for three years and has no prior CCRB complaints.
- PO Quiles has been a member of service for twelve years and has been a subject in eight other CCRB complaints with ten allegations, none of which have been substantiated.

Mediation, Civil, and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of May 14, 2020, the Office of the New York City Comptroller has no record of a Notice of Claim being filed regarding this incident (Board Review 12).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
_____).

Squad No.: 11

Investigator:	<u>Tahreem Khan</u>	<u>Inv. Tahreem Khan</u>	<u>March 17, 2021</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Edwin Pena</u>	<u>IM Edwin Pena</u>	<u>03/17/2021</u>
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date